

## Message Text

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17

ACTION AF-06

INFO OCT-01 ISO-00 EB-07 /014 W  
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R 241025Z NOV 75  
FM AMEMBASSY LAGOS  
TO USDOC WASHDC  
INFO SECSTATE WASHDC 2126

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E.O. 11652: N/A  
TAGS: BDIS, NI  
SUBJECT: MITCHELL HOUSING VS ARK URBAN

REF: USDOC 17293

1. DURING VISIT TO BLACK ARTS FESTIVAL HOUSING SITE EMBOFF  
OBTAINED FROM ROMANIAN CONSULTING FIRM SUPERVISING BUILDERS  
FOLLOWING POINTS GENERALLY RESPONSIVE PARA 2 A-D REFTEL:  
A. AN APPARENTLY-SECRET "TRIBUNAL" IS REVIEWING PROJECT AND HAS  
ALL CONTRACTS AND FILES; EMBASSY CANNOT NOW SEE CONTRACT. ARK  
URBAN STILL HAS CONTRACT BUT MAKING VERY SLOW PROGRESS.  
"TRIBUNAL" SHOULD REPORT NEXT FEW WEEKS AND CAN TERMINATE, ALTER  
OR CONTINUE EXISTING CONTRACTS.  
B. YSE  
C. FHA BOARD DISSOLVED NOVEMBER 17. POWERS GIVEN TO  
COMMISSIONER (MINISTER) OF HOUSING, URBAN DEVELOPMENT AND  
ENVIRONMENT, DR. R.A. ADELEYE.  
D. THIS QUESTION UNCLEAR. FHA WANTS HOUSING BUILT ACCORDING TO  
PRIME CONTRACT. UNINTERESTED IN CONTRACTOR'S DISPUTES WITH SUB-  
CONTRACTORS. THERE SEVERAL SUCH DISPUTES AND LIKELY BE MORE. (FHA  
UNDER SECRETARY MARTIN GAVE SAME RESPONSE THIS QUESTION FEW WEEKS  
AGO.)

2. TO CORRECT APPARENT MISINTERPRETATION REFTEL OF LAGOS 10737  
PARA 4, EMBASSY NOT RPT NOT COMPLAINING OF "PRESSURE" AND IN FACT  
HAS NOT HEARD DIRECTLY FROM SENATOR KENNEDY'S OFFICE. POINT IS  
THAT MITCHELL WASTING HIS TIME SENDING FREQUENT CABLES TO  
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EMBASSY, FHA AND SENATOR KENNEDY WITHOUT PERSONAL FOLLOW-UP.

NIETHER EMBASSY NOR SENATOR CAN COMPEL MONTGOMERY PAY DEBTS,  
ONLY MITCHELL CAN, THROUGH COURT IF ALL ELSE FAILS.

3. REGARDING REFTTEL PARA 4, MITCHELL CLAIM THAT HE CABLING  
MONTGOMERY ONE TO FIVE TIMES WEEKLY CONFLICTS WITH FREQUENT  
MONTGOMERY STATEMENTS IN OUR EARLIER REPORTS THAT MITCHELL HAS  
NOT RPT NOT CONTACTED HIM. EMBASSY UNAWARE THAT MITCHELL" HAS  
TWO AGENTS IN LAGOS"WORKING ON CASE. EMBOFF WAS VISITED SEVERAL  
DAYS AGO BY A PHILIP B. NOYCE OF WANG LABORATORIES, TWEKSBUY,  
MASS. , WHO SAID HE WAS IN LAGOS ON OWN FIRM'S BUSINESS AND HAD  
BEEN ASKED BY MITCHELL TO CONTACT EMBASSY. HE DID NOT REPRESENT  
SELF AS "AGENT" EMPOWERED RESOLVE CASE. EMBOFF REVIEWED CASE AND  
NOYCE TOOK NOTES. HE GAVE NO INDICATION HE WOULD GO BEYOND  
EMBASSY.

4. RATHER THAN SEND AGENTS TO COLLECT INFORMATION ALREADY PORVIDED  
HIM, MITCHELL SHOULD CONTACT MONTGOMERY AND FHA IN PERSON OR  
THROUGH AUTHORIZED NEGOTIATOR. EMBASSY HAS RECOMMENDED THIS  
REPEATEDLY AND ROMANINA CONSULTANT HAD SAME ADVICE. ROMANIAN SAYS  
THAT NOTHING CAN BE DECIDED UNTIL "TRIBUNAL" COMPLETES WORK IN  
TWO TO THREE WEEKS BUT THEREAFTER MITCHELL SOULD COME TO LAGOS TO  
ATTEMPT RESOLVE DISPUTE WITH MONTGOMERY AND FHA. WITH HIS PROBLEMS  
CONTINUING AND PROBABLY DEPEPING, MONTGOMERY MAY BE PREPARED COM-  
PROMISE IF MITCHELL IS, ALTHOUGH THIS IS SPECULATION OUR PART. ALL  
PARTIES INVOLVED CLAIM THEY WISH TO FINISH PROJECT AND THIS SEEMS  
MOST PROMISING COURSE FOR MITCHELL TO COLLECT PAYMENT.

5. USDOC 17608 RECEIVED AFTER PREPARATION FOREGOING. FOREGOING  
CAN SERVE AS INTERIM RESPONSE COLLINS. SINCE MITCHELL'S APPROACH  
APPEARS TO HAVE CHANGED SINCE EMBASSY'S NOV. 6 DIRECT CABLE TO  
HIM, USDOC SHOULD (1) SUGGEST COLLINS RECHECK CASE STATUS WITH  
MITCHELL, (2) DETERMINE WHETHER COLLINS NEEDS FURTHER RESPONSE  
HIS NOV. 3 LETTER IN ADDITION FOREGOING INFORMATION.  
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## Message Attributes

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